

--4. The carbonator as defined in claim 3 and further including a diffuser in the tank interior and fluidly connected to the water inlet and positioned at a level therein generally below the predetermined minimum liquid level so that carbon dioxide gas entering the tank interior is finely mixed with the total volume of liquid.--

--5. The carbonator as defined in claim 3, and including a baffle plate positioned within the tank interior above the tank bottom end and below the minimum liquid level.--

--6. The carbonator as defined in claim 4, and including a baffle plate positioned within the tank interior above the tank bottom end and below the minimum liquid level.--

IN THE SPECIFICATION:

Please delete the first three lines of page 2, and substitute the following --The present application is a CIP of co-pending U.S. application 09/079,683, filed May 15, 1998, now U.S. patent no. 6,220,047, which is a CIP of 08/987,396, filed December 9, 1997, now U.S. patent No. 6163,095.--

In line 3 on page 15, delete the phrase "in co-pending US patent application 08/761,191, filed 12/5/96" and substitute --U.S. Patent No.5,792,391--

In line 14 on page 20, delete "or358" and substitute --or 358--.

In line 24 of page 25, delete the numeral "224" and substitute the numeral --610--.

In line 15 of page 28, delete "region t the" and substitute the phrase --region to the--.

REMARKS:

By this amendment claim 1 was amended and new claims 2-6 presented. Claims 1-6 remain in the case.

The examiner noted that the declaration was defective as not acknowledging the parent and grandparent cases. Accordingly, a new declaration is submitted herewith.

The examiner noted various informalities in the specification. Accordingly, various corrections to the specification are submitted herewith correcting the stated informalities.

The drawings were objected to as not showing the reference numeral 613. Reference numeral 613 referred to an analogous o-ring as seen for example in Figure 16 and indicated by the numeral 234. Accordingly, proposed correction to Figure 27 is submitted herewith showing correction in red wherein a numeral 613 indicates an o-ring around disk 610.

The drawings were also objected to wherein a reference character in Figure 16 referred both to the carbonator bottle and a fluid inlet. Accordingly, a correction to figure 16 is submitted on a copy thereof showing the proposed correction marked in red wherein the numeral 244, generally designating the carbonator bottle, is changed to numeral 224.

Claim 1 was rejected under 35 U.S.C. 112, second paragraph as being indefinite. Various amendments were made to claim 1 to correct the stated indefiniteness.

Claim 1 was also rejected under 35 U.S.C. 103(a) as being obvious over Brusa in view of any one of Dean, Hudson, Austin et al., Iannelli, or Gupta et al. Accordingly claim 1 has been amended to include two fluid inlets. It is respectfully submitted that the prior art does not show or suggest a device for mixing a gas with two different liquids. Thus, it is submitted that claim 1 should be in condition for allowance as not obvious in view of the prior art.

New claim 2, dependent from claim 1, is submitted and should be in condition for allowance as the prior art does not teach or suggest the production of a finished carbonated beverage consisting of carbonated water and syrup flavoring in the same vessel. For the same reason, independent claim 3 should be in condition for allowance. Dependent claims 4-6 should also be allowable as showing the novel combination of a carbonator for producing a finished drink and also having a baffle plate and/or a diffuser.

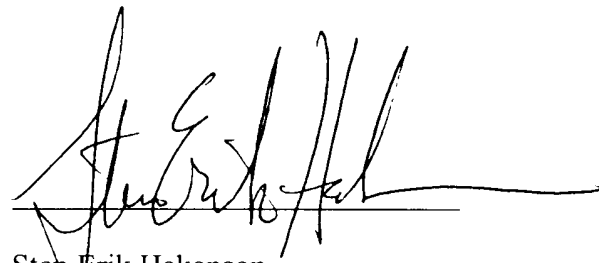
It is respectfully submitted that the various objection and rejections presented by the examiner have been overcome by the remarks and amendments herein and allowance of the pending claims is earnestly solicited.

Clean sheets of the claims 1-6 is submitted herewith.

No fee is seen to be required.

8/30/2002

Date



Sten Erik Hakanson
Attorney for Applicant
Reg. No. 31,520
IMI Cornelius, Inc.
One Cornelius Place
Anoka, Minnesota 55303-6234